

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CIVIL NO. 3:11-cv-00141-GCM

THE UNITED STATES OF AMERICA, et al
EX REL. ANTONIO SAIDIANI,

Plaintiff(s),

VS.
JOHN SHUFELDT

Defendant(s).

CERTIFICATION AND REPORT
OF F.R.C.P. 26(f) CONFERENCE
AND DISCOVERY PLAN

Please fill in or check the appropriate blanks (print legibly) to certify completion of the Rule 26(f) Attorney's Conference and provide the required information to the Court. Where the parties were unable to agree on a specific provision or item, please so note and attach any necessary explanation. Please note that this information will be used as a guideline by the judge conducting the Initial Pretrial Conference or issuing the Initial Pretrial Order.

1. Certification of Conference. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on 7/25/2013 (date) ☐ at _____ (place) or ☒ by telephone and was conducted by the undersigned counsel for the designated parties in the above captioned case.
2. Pre-Discovery Disclosures. The information required by Fed. R. Civ. P. 26(a)(1) (check one) ☐ has been exchanged ☒ will be exchanged by 08/08/2013 (date).
3. Discovery Plan. The parties jointly propose to the court the following discovery plan: [Use separate paragraphs or subparagraphs as necessary if parties disagree.
 - a) All discovery shall be commenced in time to be completed by 02/28/2014 (date). [If needed] Discovery on Fact 12/31/2013; Expert 02/28/2014 (identify any issues requiring early discovery) will be completed by _____ (date).
 - b) Discovery Limits:
 - 1) Maximum of 20 (ordinarily 20) interrogatories by each party to any other party.

- c) Reports from retained experts under Rule 26(a)(2) will be due:
 -from plaintiff(s) by 02/28/2014 (date)
 -from defendant(s) by 02/28/2014 (date)
 Supplementations under Rule 26(e) due 03/31/2014 (list times(s) or interval(s))

a) The parties ☒ request ☐ do not request a conference with the court before entry of the scheduling order.

- c) Settlement:
- ☐ is likely
- ☐ is unlikely
- ☒ cannot be evaluated prior to 12/31/13, end of fact discovery (date)
- ☐ may be enhanced by use of the following ADR procedure:
- ☐ Mediated Settlement Conference
- ☐ binding arbitration
- ☐ judicial settlement conference
- ☐ other _____

☐ after resolution of any outstanding dispositive motions, but prior to further discovery;

☐ after an initial round of preliminary discovery to be completed by _____(date);

☐ after the completion of discovery;

☐ after resolution of summary judgment motions, if any;


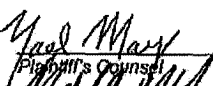
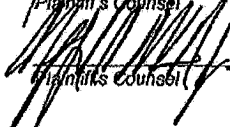
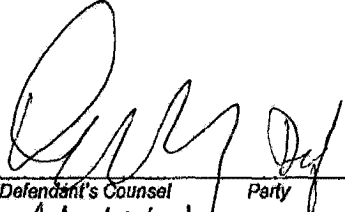
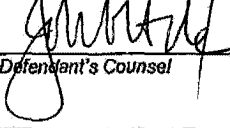
☐ not applicable.

- e) If the case is ultimately tried, trial is expected to take approximately 10 days.

f) ☐ The parties have discussed the issue of consent to the jurisdiction of a U.S. Magistrate Judge.

5. Please identify any other matters regarding discovery or case management which may require the Court's attention (e.g., concerns re: confidentiality, protective orders, etc., unmovable scheduling conflicts):

Defendant requests discovery be bifurcated as to indemnification and liability.
Plaintiff objects to Defendant's request for discovery bifurcation. Accordingly,
the Parties seek a conference with the Court before entry of the Scheduling Order.

	Plaintiff	7/25/13
Plaintiff's Counsel	Party	Date
	Plaintiff	7/25/13
Plaintiff's Counsel	Party	Date
	Plaintiff	7/25/13
Plaintiff's Counsel	Party	Date
Plaintiff's Counsel	Party	Date
Plaintiff's Counsel	Party	Date
	Def	7/30/13
Defendant's Counsel	Party	Date
	Def	7/30/13
Defendant's Counsel	Party	Date
Defendant's Counsel	Party	Date
Defendant's Counsel	Party	Date
Defendant's Counsel	Party	Date

(Attach additional Sheets if necessary)